

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN
MADISON DIVISION**

STANDARD PROCESS INC.,	:	
	:	Case No: 3:18-cv-00849-wmc
Plaintiff,	:	
	:	
v.	:	Judge William M. Conley
	:	
AVC INFINITE, LLC, A VITAMIN A DAY LLC, ANDREW CHEKAYEV, IRINA PEYSAKHOVICH, and JOHN DOES 1-100, individually or as corporate/business entities,	:	Magistrate Judge Stephen L. Crocker
	:	
	:	
	:	
Defendants.	:	

**SUPPLEMENTAL BRIEF IN SUPPORT OF
PLAINTIFF’S MOTION FOR CONTEMPT**

Plaintiff Standard Process Inc. (“Standard Process”) submits this Supplemental Brief in Support of Plaintiff’s Motion for Contempt filed on March 9, 2020 (Docs. 25, 26 and 27) and currently pending before the Court. This Court should enter an order pursuant to 18 U.S.C. § 401, imposing sanctions against defendant Irina Peysakhovich (“Peysakhovich”) for her contempt in violation of this Court’s Opinion and Order Granting Plaintiff’s Motion for Default Judgment and Permanent Injunction (Doc. 23, “Order”).

I. ARGUMENT

Standard Process’s Motion for Contempt is pending before this Court (Docs. 25, 26 and 27). Defendant Irina Peysakhovich continues to violate this Court’s order by selling products bearing the trademarks of Plaintiff Standard Process to this very day. In addition to her wrongful actions detailed in the original Motion (Docs. 25, 26, and 27), Standard Process has discovered that Peysakhovich has associated with yet another entity to continue improperly selling Standard Process products.

As set forth in the declaration of Tyler B. Pensyl, Peysakhovich and Alexander Peysakhovich, have associated with another individual to sell Standard Process products on Amazon utilizing a storefront named “USA Supplements”.¹ *See* Pensyl Decl. filed herewith (“Pensyl Decl.”) ¶¶ 1-5.) The “USA Supplements” storefront is registered to an associate of Alexander Peysakhovich, Leon Rosenblatt, who is purportedly in Florida. (*Id.* ¶ 2) However, the registered phone number for “USA Supplements” is the phone number associated with Alexander Peysakhovich. (*Id.* at ¶ 3) That phone number has an area code of 201, which is associated with the New Jersey/New York area where Peysakhovich has been running her other businesses. (*Id.*) Rosenblatt also is affiliated with companies formed by Alexander Peysakhovich. (*Id.*)

Since February 2 2020, “USA Supplements” has sold \$42,754.13 in Standard Process products. (Pensyl Decl. at ¶5.) Thus, yet again, Peysakhovich, and those with whom she is associated, are pocketing substantial funds by improperly selling Standard Process products in defiance of this Court’s order. Enough is enough.

II. CONCLUSION

Peysakhovich will not stop violating this Court’s January 9, 2020 Order. This Court should: (1) hold Peysakhovich in contempt; (2) require Peysakhovich disgorge all profits made on the sale of Standard Process goods since February, 2020 in the amount of \$42,754.13 (plus the \$2,309 requested in the original Motion); (3) require Peysakhovich to compensate Standard Process for the legal fees incurred in litigating this action, including, but not limited to, bringing

¹ Partnering with another individual or entity to operate Amazon storefronts is a tactic that Peysakhovich has repeatedly employed to attempt to conceal her affiliation with these storefronts. She previously partnered with Andrew Chekayev and AVC Infinite, LLC to operate the “Vitaminpro” storefront, with Irina Marquis and Marquis Solution, LLC to operate the “Got Vitamin?” storefront, and “Aliaksandr” (presumably for Alexander Peysakhovich) to operate the “V Doctor” storefront. (*See* Doc. 26 at 4-7.) There are also several connections between Peysakhovich and Irek Galeev and Vita EEP, LLC, who operate the “Vita EEP” storefront and who Standard Process also obtained a judgment against. *See Standard Process, Inc. v. Galeev, et al.*, Case No. 3:19-cv-00710-wmc, Doc. 22.

its motion for default judgment and permanent injunction and the present motion; (4) require Peysakhovich to disburse to Standard Process an amount of \$1,000 per day for every day products bearing the Standard Process Trademarks are listed on the “USA Supplements” storefront or any other online storefront controlled by Peysakhovich or the Enjoined Parties; (5) require Peysakhovich and the Enjoined Parties to return all Standard Process products and product bearing the Standard Process Trademarks to Plaintiff; (6) require that, if Peysakhovich fails to comply with her requirement to return infringing products, she shall disburse to Standard Process an amount of \$1,000 per day for every day that she is not in compliance with that order; and (7) grant such other and further relief as this Court deems just and proper.

Dated this 3rd day of November, 2020.

Respectfully submitted,

/s/ Tyler B. Pensyl

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CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2020, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using CM/ECF and will be served via U.S. first class mail and email on:

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s/ Tyler B. Pensyl
Tyler B. Pensyl